



00862.022218.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
: Examiner: J. Reagan
YASUHIRO KUJIRAI)
: Group Art Unit: 3621
Application No.: 09/847,417)
:
Filed: May 3, 2001)
:
For: PRINTING CONTROL)
METHOD, APPARATUS AND)
STORAGE MEDIUM)
THEREFOR, AND)
PRINTING SYSTEM)
(As Amended 2/10/05) : June 10, 2005

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.136(a)

Sir:

Applicant petitions the Commissioner for Patents to extend the time for
response to the Office Action dated December 10, 2004 for three months from March 10,
2005 to June 10, 2005.

6/16/2005 SSITHIB1 00000068 09847417
FC:1253 -1020.00 DP

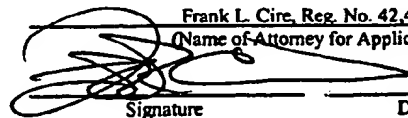
Adjustment date: 12/29/2005 EEKUBAY1
06/16/2005 SSITHIB1 00000068 09847417
02 FC:1253 -1020.00 DP

Repln, Ref: 12/29/2005 EEKUBAY1 0010230200
DAH:061205 Name/Number:09847417
FC: 9204 \$1020.00 CR

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first-class mail in an envelope addressed
to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-
1450 on

June 10, 2005
(Date of Deposit)

Frank L. Cire, Reg. No. 42,419
(Name of Attorney for Applicant)


Signature Date of Signature
June 10, 2005

Dep S def

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



re Application of:

YASUHIRO KUJIRAU

Application No.: 09/847,417

Filed: May 3, 2001

For: PRINTING CONTROL METHOD,
APPARATUS AND STORAGE
MEDIUM THEREFOR, AND
PRINTING SYSTEM

(As amended February 10, 2005)

Examiner: J. Reagan

Group Art Unit: 3621

Confirmation No.: 5477

November 29, 2005

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR REFUND

Sir:

In connection with the above-identified application, Applicant requests a refund of \$1,020.00 for overpaid fees. It is requested that the refund be applied as a credit to our Deposit Account No. 06-1205.

Applicant submitted an Amendment After Final Rejection in the above-identified application on February 10, 2004 in response to a final Office Action mailed December 10, 2004. The Examiner assigned to the application issued an Advisory Action on March 3, 2005, indicating that the Amendment would not be entered. However, neither Applicant's representative nor Applicant received a mailed copy of the Advisory Action. On June 10, 2005, Applicant's representative performed a status check on the application using PAIRS and discovered the Advisory Action in the IFW. Based on the Advisory

Action, Applicant's representative filed a Request for Continued Examination and paid a three-month extension fee of \$1,020.00. If Applicant's representative had received the Advisory Action, Applicant would have known to file the Request for Continued Examination by March 10, 2005, within three months of the mailing date of the final Office Action, and thus avoided payment of the \$1,020.00 extension fee.

Applicant's representative performed an extensive search of his records and has determined that the Advisory Action was never received in the representative's office. In addition, Applicant's representative is unable to determine by examination of the IFW if the Advisory Action was indeed mailed. Therefore, Applicant respectfully submits that the Advisory Action may have been inadvertently mishandled within the USPTO and was never mailed to Applicant's representative. If the Advisory Action had not been mishandled, Applicant could have avoided payment of the extension fee. Therefore, Applicant respectfully requests a refund of the extension fee of \$1,020.00.

Applicants' undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank L. Cire', is written over a horizontal line.

Frank L. Cire
Attorney for Applicant
Registration No. 42,419

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